

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TRIMBLE NAVIGATION LIMITED,

Plaintiff,

No. C 03-1604 PJH

v.

**ORDER DENYING MOTION
TO SHORTEN TIME RE
MOTION TO DISMISS**

RHS INC., et al.,

Defendants.

Before the court is plaintiff's application to shorten time in connection with a hearing on plaintiff's motion to dismiss defendants' affirmative defenses and declaratory judgment claims. Plaintiff seeks a September 5, 2007 hearing date on its motion to dismiss.

The application to shorten time is hereby DENIED, as plaintiff has failed to demonstrate "substantial harm or prejudice," as required by Civil Local Rule 6-3(a)(3). As such, the earliest available hearing date for plaintiff's motion is September 26, 2007. Plaintiff's motion shall therefore proceed with a September 26 hearing date, unless the court advises the parties, after service of all briefs is complete, that the matter will be decided on the papers, or that the matter will instead be heard at the upcoming pretrial conference scheduled for October 11, 2007.

IT IS SO ORDERED.

Dated: August 27, 2007



PHYLLIS J. HAMILTON
United States District Judge